

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1, 9, and 13 are amended. Claims 1, 9, and 13 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Claim for Priority

The Examiner has acknowledged the Applicant's claim for foreign priority based on Japanese Patent Application No. 2002-265193.

Information Disclosure Citation

Applicant thanks the Examiner for considering the reference supplied with the Information Disclosure Statements filed January 16, 2004, and April 2, 2004, and for providing Applicant with an initialed copies of the PTO-1449 form filed therewith. The Applicant recognizes that the IDS filed on June 4, 2004 disclosed references previously disclosed in the IDS of April 2, 2004.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

In order to overcome this rejection, the Applicant has amended claim 1 to address the issue pointed out by the Examiner. The Applicant respectfully submits that the claims, as

amended, particularly point out and distinctly claim the subject matter which the Applicant regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Obviousness-Type Double Patenting Rejection

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending U.S. Patent Application No. 10/646,741. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, the Applicant is herewith submitting a Terminal Disclaimer disclaiming the terminal portion of any patent granted on the present application which would extend beyond the expiration of any patent which issues from U.S. Application No. 10/646,741. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 102(b) and § 102(e)

Claims 1-6 and 13-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Masahisa (JP 07151197);

claims 1-6 and 13-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Simpson et al. (U.S. 6,612,952);

claims 9 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Thomas et al. (US 2004/0214672); and

claims 9-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Simpson et al.

These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Amendments to Independent Claims 1, 9, and 13

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 is amended herein to recite a combination of elements directed to a chain tensioner, including *inter alia*

a tensioner arm body being made of a spring steel plate; and

a width of a middle in the longitudinal direction of the tensioner arm body is set to a smaller value relative to a width of each end of the tensioner arm body so that a natural oscillation frequency in the middle of the tensioner arm body is different from the natural oscillation frequency at each of the ends of the tensioner arm body, thereby preventing resonance of the tensioner arm body;

independent claim 9 is amended herein to recite a combination of elements directed to a chain tensioner, including *inter alia*

a tensioner arm body being made of a spring steel plate; and

at least one hole formed in a middle in the longitudinal direction of the tensioner arm body so that a natural oscillation frequency in the middle of the tensioner arm body is different from the natural oscillation frequency at each end of the tensioner arm body, thereby preventing resonance of the tensioner arm body; and

independent claim 13 is amended herein to recite a combination of elements directed to a chain tensioner, including *inter alia*

a tensioner arm body being made of a spring steel plate;

wherein a central portion in the longitudinal direction of the tensioner arm body has a smaller width relative to the width of each end of the arm body so that a natural oscillation frequency in the central portion of the tensioner arm body is different from the natural oscillation frequency at each of the ends of the tensioner arm body, thereby preventing resonance of the tensioner arm body.

Support for the above features can be found for example, in paragraphs [0047] and [0052], and [0055].

By contrast, as can be seen in Masahisa (JP 071511197) FIGS 2 and 3, Simpson et al. FIG. 1, and Thomas et al. FIG. 1, each of these documents merely discloses a rigid arm body. Moreover, the holes of Simpson et al. arm body and Thomas et al. have nothing to do with increasing the flexibility of the Simpson et al. or the Thomas et al. arm body.

Therefore, no combination of Masahisa (JP 071511197), Simpson et al., and Thomas et al. can suggest the novel combination of elements set forth in each of independent claims 1, 9, and 13.

The Examiner will note that JP 02296046 (Yoshiyuki et al.), submitted with the IDS dated January 16, 2004, may possibly disclose a tensioner arm body made of a spring steel plate. However, there is no hint in this document of forming the arm body so that different portions have different dimensions or shapes so that a natural oscillation frequency in the middle of the tensioner arm body is different from the natural oscillation frequency at each of the ends of the tensioner arm body, thereby preventing resonance of the tensioner arm body.

Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Masahisa (JP 071511197), Simpson et al., Thomas et al., and JP 02296046, at least for the reasons explained above.

Therefore, independent claims 1, 9, and 13 are in condition for allowance.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and 102(e) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

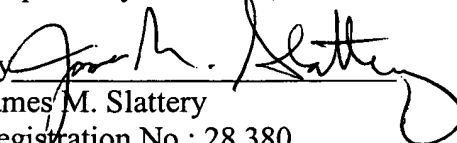
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

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